

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STEPHEN H. SMALLWOOD, JR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-05-1415-F
)	
JOSEPH SCIBANA,)	
)	
Defendant.)	

ORDER

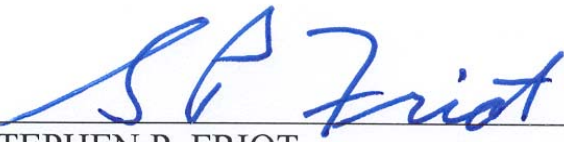
Petitioner seeks habeas relief. The Report and Recommendation of Magistrate Judge Robert E. Bacharach, filed June 15, 2006, recommends dismissal of the petition for writ of habeas corpus as moot. (Report, doc. no. 37.) Petitioner, who appears *pro se* and whose pleadings are liberally construed, has filed a timely objection to the Report. (Objection at doc. no. 39.)

The court reviews all objected to matters *de novo*. Having completed that review, the court finds and concludes that it agrees with the recommendations of the magistrate judge as stated in the Report. It further finds that no purpose would be served by restating here any of the magistrate judge's determinations or by offering any additional analysis of the issues.

Accordingly, petitioner's objections to the Report and Recommendation of Magistrate Judge Bacharach are **DENIED**, the Report and Recommendation is

ACCEPTED, ADOPTED, and AFFIRMED in its entirety, and the petition for a writ of habeas corpus is **DISMISSED** as moot.

Dated this 6th day of July, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

05-1415p003(pub).wpd